

RECEIPT # 127299
 AMOUNT: \$105.00
 MAY 24 2002
 CASHIER SIGNATURE

IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF PUERTO RICO

NEREIDA CANCEL DE RUGG

Plaintiff

v.

LOUIS CALDERA JR, ET AL

Defendants

CIVIL NO. 97-1594 (JGG)

RECEIVED AND FILED
 MAY 24 PM 3:40
 CLERK'S OFFICE
 U.S. DISTRICT COURT
 SAN JUAN P.R.

NOTICE OF APPEAL

TO THE HONORABLE COURT:

NOW COMES PLAINTIFF duly represented by the undersigned attorney and most respectfully alleges and prays as follows:

Notice is hereby given that plaintiff Nereida Cancel de Rugg hereby appeals to the Circuit Court of Appeals for the First Circuit the Partial Judgement entered on the Memorandum and Order filed on April 26, 2002 by Honorable Jay Garcia Gregory and the July 11, 2000 Opinion and Order by Honorable Jose A. Fuste, which was involved in the Motion for Reconsideration that was referred to the U.S. Magistrate and the Report and Recommendation of Honorable Magistrate Justo Arenas filed on November 25th, 2002, adopted by Honorable Jay Garcia Gregory on April 23rd, 2002, all disposing with prejudice of plaintiff Cancel's sexual harassment and retaliation claims, as well as her claim regarding a fourteen day suspension from employment. This appeal is taken against the Secretary of the Army, Louis Caldera Jr., and the Secretary of Defense of the United States, William Cohen, or the current substitutes.

77 c/s: Appeals Clerk
 5/24/02

s/cs: to 16
 attys/pts
 in ICMS
 MAY 30 2002
 appeals

130
 [Signature]

Page -2-

WHEREFORE, it is most respectfully requested that this Honorable Court admit this Notice of Appeal and that it be referred to the United States Court of Appeals for the First Circuit.

RESPECTFULLY SUBMITTED

I HEREBY CERTIFY that a true and exact copy of this Motion has been sent by mail to A.U.S.A. Fidel Sevillanos, Room 452, Federal Building, 150 Chardon St., Hato Rey, Puerto Rico, 00918-1714; Att. Francisco López Romo, 7600 Red Roud Suite 200, South Miami, Florida 33143; and to Att. Johnny Rivera Gonzalez, P.O. Box 2945 Guaynabo, Puerto Rico 00969.

In San Juan, Puerto Rico on this 10th day of May, 2002.



Dennis A. Simonpietri

USDC-PR 117913

Edificio Tres Rios, Suite 300

#27 Ave. Gonzalez Guisti,

San Patricio, Guaynabo PR 00968

Tel. 751-2579 Fax 759-6768